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Human Rights Council
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Agenda item 4

Resolution adopted by the Human Rights Council on 2 July 2015

29/17. Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolution 26/25 of 27 June 2014, and deploring the inadequate response and lack of cooperation by the Government of Belarus to the requests made by the Council in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedures mandate holders to the country,

Recalling also Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes* the reports of the Special Rapporteur on the situation of human rights in Belarus;[1]

2. *Expresses deep concern* at the continuing violations of human rights in Belarus, which are of a systemic and systematic nature, as well as at the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of enforced disappearance of political opponents, the impunity of perpetrators of human rights violations, the violations of labour rights amounting to forced labour, the significant gaps in anti-discrimination legislation, the pressure on defence lawyers and the lack of participation of opposition political parties in Parliament;

3. *Calls upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with international human rights law and with its human rights obligations and commitments, and not used to impede or unduly restrict the exercise of any human right, including the right to freedom of opinion and expression, the right to peaceful

[1] A/HRC/29/43 and A/69/307.

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assembly and the right to freedom of association, including to form and join a trade union, as well as the freedom of the media;

4. *Notes* the continued attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and encourages the parliamentary working group on the death penalty to expedite its work;

5. *Urges* the Government of Belarus to carry out a comprehensive reform of the justice sector and bar associations in order to guarantee the full independence and impartiality of the judiciary, the presumption of innocence, the right to a fair trial and the right to an effective review of sentences and convictions by a higher tribunal established by law and to freely chosen legal representation throughout all proceedings, as well as the availability of information on the implementation of all sentences, while encouraging the Government to continue recent attempts to reform the judiciary;

6. *Strongly urges* the Government of Belarus to release immediately and unconditionally and rehabilitate fully all political prisoners, to ensure that those who have been released are immediately and fully reinstated in their civil and political rights, in particular in view of the presidential election of October 2015, to address, through comprehensive, transparent and credible investigations, reports of torture and ill-treatment by law-enforcement officials and to prosecute alleged perpetrators and punish those found guilty, and to put an immediate end to the arbitrary arrest, detention and harassment of human rights defenders, political opponents and journalists, to arbitrary travel bans and to other policies aimed at intimidating representatives of the political opposition and the media, as well as human rights defenders and civil society organizations;

7. *Regrets* that Belarus has not yet taken necessary steps ahead of the presidential election of October 2015 to reform its electoral legislation, in accordance with the recommendations made in this regard by the Special Rapporteur and the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, and urges Belarus to ensure that the presidential election is free, fair, inclusive and peaceful while providing for equal treatment of all candidates before, during and after the vote, and to issue an early invitation to the Office for Democratic Institutions and Human Rights for it to conduct a potential election observation mission based on a timely needs-assessment mission;

8. *Strongly encourages* the Government of Belarus to establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to enhance the progress made towards reaching the Millennium Development Goals;

9. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its thirty-second session and to the General Assembly at its seventy-first session;

10. *Urges* the Government of Belarus to cooperate fully with the Special Rapporteur, including by providing him access to visit the country and the information necessary to facilitate the fulfilment of the mandate;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of the mandate.

44th meeting
2 July 2015

[Adopted by a recorded vote of 21 to 8, with 18 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Botswana, Brazil, Estonia, France, Gabon, Germany, Ireland, Japan, Latvia, Maldives, Montenegro, Netherlands, Paraguay, Portugal, Republic of Korea, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Bolivia (Plurinational State of), China, Cuba, India, Kazakhstan, Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Algeria, Bangladesh, Congo, Côte d'Ivoire, El Salvador, Ethiopia, Ghana, Indonesia, Kenya, Mexico, Morocco, Namibia, Nigeria, Pakistan, Qatar, Saudi Arabia, South Africa, United Arab Emirates]